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13 Attorneys for Plaintiff,  
14 James Beechinor

15 UNITED STATES DISTRICT COURT  
16 FOR THE DISTRICT OF ARIZONA

17 James Becchinor,

18 Plaintiff,

19 vs.

20 I.C. System, Inc.,

21 Defendant.  
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Case No.:

**COMPLAINT**

**JURY TRIAL DEMANDED**

1 Plaintiff, James Beechinor (hereafter “Plaintiff”), by undersigned counsel,  
2 brings the following complaint against I.C. System, Inc (hereafter “Defendant”) and  
3 alleges as follows:  
4

5 **JURISDICTION**

6 1. This action arises out of Defendant’s violations of the Fair Debt  
7 Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).  
8

9 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d) and 28  
10 U.S.C. § 1331.  
11

12 3. Venue is proper before this Court pursuant to 28 U.S.C. § 1391(b), where  
13 the acts and transactions giving rise to Plaintiff’s action occurred in this district and/or  
14 where Defendant transacts business in this district.  
15

16 **PARTIES**

17 4. Plaintiff is an adult individual residing in Tucson, Arizona, and is a  
18 “person” as defined by 47 U.S.C. § 153(39).  
19

20 5. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

21 6. Defendant is a business entity located in St. Paul, Minnesota, and is a  
22 “person” as the term is defined by 47 U.S.C. § 153(39).  
23

24 7. Defendant uses instrumentalities of interstate commerce or the mails in a  
25 business the principle purpose of which is the collection of debts and/or regularly  
26 collects or attempts to collect debts owed or asserted to be owed to another, and is a  
27 “debt collector” as defined by 15 U.S.C. § 1692a(6).  
28

**ALLEGATIONS APPLICABLE TO ALL COUNTS**

8. Plaintiff is a natural person allegedly obligated to pay a debt asserted to be owed to a creditor other than Defendant.

9. Plaintiff's alleged obligation arises from a transaction in which property, services or money was acquired on credit primarily for personal, family or household purposes, is a "debt" as defined by 15 U.S.C. § 1692a(5).

10. At all times mentioned herein where Defendant communicated with any person via telephone, such communication was done via Defendant's agent, representative or employee.

11. In July of 2017, Plaintiff informed Defendant that he was moving to Arizona and provided Defendant with his Arizona address.

12. Despite being so informed, on or about September 29, 2017, Defendant called Plaintiff at 6:45 A.M.

13. Defendant's actions caused Plaintiff to suffer a significant amount of frustration.

**COUNT I**

**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692, et seq.**

14. Plaintiff incorporates by reference all of the above paragraphs of this complaint as though fully stated herein.

16. Defendant attempted to collect a debt from Plaintiff and engaged in “communications” as defined by 15 U.S.C. § 1692a(2).

17. Defendant communicated with Plaintiff at a time or place known to be inconvenient to the Plaintiff, in violation of 15 U.S.C. § 1692c(a)(1).

18. The foregoing acts and/or omissions of Defendant constitute violations of the FDCPA, including every one of the above-cited provisions.

19. Plaintiff was harmed and is entitled to damages as a result of Defendant's violations.

WHEREFORE, Plaintiff prays for judgment against Defendant for:

- A. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
- B. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A);
- C. Costs of litigation and reasonable attorneys' fees pursuant to 15 U.S.C. § 1692k(a)(3);
- D. Punitive damages; and
- E. Such other and further relief as may be just and proper.

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DATED: January 2, 2018

TRINETTE G. KENT

By: /s/ Trinette G. Kent  
Trinette G. Kent, Esq.  
Lemberg Law, LLC  
Attorney for Plaintiff, James Beechinor